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AUG 10 2006

S/N 10/039,047

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Lee Friedman Examiner: Sean M. Reilly
Serial No.: 10/039,047 Group Art Unit: 2153
Filed: December 31, 2001 Docket No.: 60027.0218US01
Title: MULTIMEDIA DISTRIBUTION IN A HETEROGENEOUS NETWORK

CERTIFICATE UNDER 37 C.F.R. § 1.6 deposited via facsimile to:
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on Aug 10, 2006
Murrell W. Blackburn
Murrell W. Blackburn, Reg. No. 50,881

DECLARATION OF LEE FRIEDMAN UNDER 37 C.F.R. §1.131

Lee Friedman declares that:

1.

This declaration is to establish completion of the invention in this application in the United States on a date prior to June 12, 2001.

2.

I am the inventor of the invention described in U.S. Patent Application Serial No. 10/039,047 filed on December 31, 2001, entitled "MULTIMEDIA DISTRIBUTION IN A HETEROGENEOUS NETWORK."

3.

I was an employee of BellSouth Corporation, assignee for the above-identified patent application, at the time the invention described and claimed in this patent application was invented, and I am still employed by BellSouth Corporation.

4.

I conceived, in this country, the invention as described and claimed in the above-identified patent application prior to June 12, 2001 and, coupled with due diligence, subsequently filed the present application on December 31, 2001. In support thereof, the following materials are attached:

A. A memorandum commemorating the date of a disclosure meeting disclosing the invention. Certain non-relevant and business sensitive information has been redacted from the memorandum. The patent application process was begun by the inventor prior to June 12, 2001 and completed by December 31, 2001. The memorandum is attached hereto as EXHIBIT 1.

B. Email communications between myself and counsel concerning the preparation of a draft final draft of the application for Letters Patent. This email communication is attached hereto as EXHIBIT 2.

5.

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.


Lee Friedman6/13/06
Date10615-Timberstone Rd. Alpharetta
Residential Address GA 30022

BELLSOUTH.NET**INVENTION DISCLOSURE MEETING**

Thursday, May 03, 2001 (9 a.m - 11:20 a.m.)
303 Perimeter Center

Inventor: Lee Friedman

Participants: Lee Friedman
Dale Malik
Nora Tocups
Lee Wang
Cynthia Parks

Inventions:

2) **"System and Method for Managing and Aggregating Multimedia Services"** (aka "universal media player")

- Subsumes all players into one, user can play any type of media with this universal player (audio, video, live/pre-recorded, DVD, ...)

Pieces:

- Automated management of disparate formats
- Automated v. personalized operation
 1. user can choose completely automatic updates
 - at startup of application
 - in background at scheduled intervals
 - BS can initiate remotely?
 2. user can choose automatic updates with prompt
 3. user can choose never update unless user initiates
- Update feature
 1. update each product (load the latest release)
 2. update the media manager itself [this may be another patent]
 3. add new media player formats
- Playlist
- Graphic equalizer

NOTE: consider obtaining **design patent**, and or copyright and trade dress protection for the look and feel of the appliance.

3) **"Media Distribution Schemes" or "Multimedia Distribution in a Heterogeneous Network"**

EXHIBIT I

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- Delivers multimedia to many users on a large network
- Manages dissemination from a source to the user
- Why?

BS's network is not homogeneous (they serve a 9 state region; there is disparate geography)

The same content must be distributed differently accordingly.

Analogy → water getting to the ocean must navigate different waterways (type of water, width of tributary); this is analogous to characteristics of the network (bandwidth, # customers, etc.)

Different broadcast standards that exist currently, and may be encountered on BS's network:

1. unicast -- a separate stream must be created for each user; caching is involved.
 2. multicast -- can "tap off" a signal. The ATM network backbone does not experience multiplication of bandwidth consumed because the router sends copies of the content at each tap off point.
- How does this invention solve the problems?

With this, the server sending out the media sends it in such a way that the router knows the territory. I.e., can tune a distributed network of servers to know which portion of the network is multicast or unicast. **This server tunability is the inventive part → it has not been done before.**
 - The goal is to establish a minimum quality of service without having minimum quality of service standards (to which each network would have to conform)
→ reliable, consistent distribution in a network that is inconsistent.

Parks, Cynthia

From: Parks, Cynthia
Sent: Wednesday, May 16, 2001 7:42 PM
To: Lee Friedman (E-mail); 'lgf@bellsouth.net'
Cc: Tocups, Nora
Subject: Provisional application

Hi Lee
Here's another pass. Thanks!



13XDC01_.doc

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Parks, Cynthia

From: Parks, Cynthia
Sent: Thursday, May 17, 2001 2:46 PM
To: Lee Friedman (E-mail); Lee Friedman (E-mail 2)
Cc: Tocups, Nora
Subject: Provisional application

Importance: High

Lee
I've added some more detail. Please give me more feedback when you can. Thank you.



132c02_DOC

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Parks, Cynthia

From: Parks, Cynthia
Sent: Tuesday, May 22, 2001 9:41 AM
To: Lee Friedman (E-mail); Lee Friedman (E-mail 2)
Subject: "Multimedia Distribution" application

Importance: High

Hello Lee

I was wondering when I might get your feedback on my last draft of the provisional application. I am also faxing you an official patent that Nora prosecuted for Dale. It may shed some light on the format that we are shooting for. Please let me know if you don't receive it this morning.

If the draft still needs a lot of revisions, I'd be happy to give you a call to discuss, or to come by your office at your convenience.

Thanks!

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Tracking:	Recipient	Delivery	Read
	Lee Friedman (E-mail)		
	Lee Friedman (E-mail 2)		
	Tocups, Nora	Delivered: 5/22/01 9:41 AM	Read: 5/22/01 10:20 AM